

## **Barnsley Chronicle Ltd Annual IPSO Report February 2016**

### **Introduction**

The Barnsley Chronicle is a weekly newspaper covering the geographical and municipal borough of Barnsley. It was launched in 1858, with the Hewitt family first getting involved in 1888 and eventually taking up all the shares in 1923.

It is the largest circulating weekly newspaper in Yorkshire and has one of the highest circulations in the country.

The paper covers local news for the Barnsley audience. The company also publishes the Barnsley Independent and Holme Valley Review which are free titles.

### **Our editorial standards**

The Barnsley Chronicle sets out to be an authoritative, trustworthy journal, taking an independent, responsible position on the material it carries. Stories are verified as much as possible before publication.

As with most media outlets, we use our extensive social media connections on Facebook and Twitter as sources for stories but would never publish a story garnered from these sources without first checking its accuracy and authenticity.

This, where possible, would be done by contacting the original source. If that was not possible, we would make alternative enquiries to check its accuracy. I can confirm that we have, in the recent past, refused to carry stories emanating from social media because we have not been able to confirm their accuracy.

Our policy is certainly not to treat social media leads as reliable, publish a story based on them and then wait for the complaints to follow.

We continue to cover things such as council meetings, public meetings in the traditional way – ie a reporter in attendance. If the issue being discussed is a contentious one, it would be expected the reporter would make contact with people representing both sides of the argument to ensure a story is balanced.

If one party refuses to make comment or does not make themselves available for comment, we would ensure the published story made this clear.

### **Our responsible person(s)**

As editor, the paper's nominated responsible person for IPSO obligations is Andrew Harrod. In the event of his absence, this responsibility would pass to the deputy editor Steph Daley. Between them, Andrew and Steph have almost 60 years' experience working on local newspapers, with Andrew previously being a national magazine editor before returning to local newspapers.

### **Our complaints-handling process**

Any minor complaints will generally be dealt with, initially, by the reporter involved in preparing the original story. Staff are instructed not to shy away from making a correction where it is warranted.

Occasionally, a complainant may make contact via phone or in person and ask to speak to someone 'in charge'. These calls are initially dealt with by the newsdesk and the deputy editor who works on newsdesk will often assess the seriousness of the complaint.

If it can be resolved promptly and amicably then she is empowered to draft and arrange publication of the suitable correction. It is our aim to keep the complaints process as speedy and simple as possible.

Occasionally, a complainant may insist on speaking direct to the editor – bypassing the reporter and newsdesk – and staff are not instructed to try to put any one off contacting me.

If a reader calls our switchboard number and asks to speak to the editor, they are readily put through to me.

A copy of the complaints procedure is on our website (illustration below) and this is published regularly in the newspaper on the letters page (always page six)

## **Complaints**

At the Barnsley Chronicle, we try to get things right but occasionally, we make mistakes.

If you have a complaint about a story featured on our website, please contact the newsdesk on 01226 734262 or by email: [editorial@barnsley-chronicle.co.uk](mailto:editorial@barnsley-chronicle.co.uk).

We abide by the Editors' Code of Practice as demanded by the Independent Press Standards Organisation. For details on the code and what to do should you be unsatisfied with the way we handle your complaint, please visit [www.ipso.co.uk](http://www.ipso.co.uk).

We accept complaints in most formats – phone, letter, email or in person. By virtue of its public nature, if a complaint is posted on one of our social media channels, we would normally request direct contact details so we can investigate the matter further.

### **Our training process**

All staff have been briefed in our policy regarding complaints handling. A copy of the Code of Editors has been included in the handbook of all new members of the editorial team. A copy is posted on the office notice board and, as it is amended or updated, a fresh copy is distributed to every member of the team. The latest copy was distributed to staff in January 2016.

During the relevant period, we have not organised any formal training on the IPSO code but our compliance with it is often discussed in relation to stories the news team are working on. Reporters are constantly reminded of the need to comply with the code and the editor has regular discussions with reporters, advising them on how the IPSO code governs their conduct and handling of stories.

## **How we deal with pre-publication guidance**

Since the launch of IPSO, we have not had cause to seek pre-publication guidance from IPSO advisors. However, all staff are aware that such guidance is available. We would normally expect the approach to IPSO to be made by either the editor or the deputy editor although individual reporting staff would not be discouraged from making the approach themselves.

## **Our record on compliance**

In the last year, the Barnsley Chronicle has only been referred to IPSO on one occasion. I am pleased to say that on that occasion, the complaint regarding privacy was not upheld.

I have attached the summary of the IPSO finding into the matter below:

Decision of the Complaints Committee 0661-14 Holling v Barnsley Chronicle

1. Duncan Holling complained to the Independent Press Standards Organisation that the Barnsley Chronicle had breached Clause 3 (Privacy) of the Editors' Code of Practice in an article headlined "Mum fuming after tot 'escapes' nursery", published in print and online on 26 September 2014.
2. The article reported that a three-year-old child had "escaped" from nursery and returned home alone. It included a photograph of the child and his mother.
3. The complainant was the child's father. He said that, while the child's mother had agreed for the story and photograph to be published, he had not given his consent. He considered that this was an intrusion into his child's privacy, and into his own private family life, which was separate from the child's life with his mother. He also said that the article was a breach of his parental rights, as he shared responsibility with his former partner.
4. The newspaper apologised for any upset caused to the complainant, but did not accept a breach of the Code. The child's mother had contacted the newspaper, offering to speak about the incident, and to pose for the picture. The complainant had contacted the news desk prior to publication, but it had appeared that his primary concern was that his ex-wife may have been paid for the story. He had been assured that this was not the case and that, while he may have objected to the publication of his son's name, this would not be withheld as the newspaper had obtained the consent of the child's mother. The newspaper was satisfied that, as the primary carer for the child, the mother was in a position to offer this consent. Nonetheless, it had removed the story from its website as a gesture of goodwill.

### Relevant Code Provisions

5. Clause 3 (Privacy) (i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.
- (ii) Editors will be expected to justify intrusions into any individual's private life without consent. Account will be taken of the complainant's own public disclosures of information.
- Clause 6 (Children) (i) Young people should be free to complete their time at school without unnecessary intrusion.
- (ii) A child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.

### Findings of the Committee

6. The complainant had not framed his complaint under Clause 6 (Children). Nonetheless, the terms of Clause 6 were relevant to the Committee's consideration of his complaint under Clause 3, because they set out the special protections afforded by the Code to children, in recognition of their vulnerable position in society. Clause 6 also sets out the Code's requirements regarding when and from whom consent must be sought for journalistic activity that relates to children. The Committee considered the complaint against this background.

7. The Committee noted first the nature of the material that had been published about the complainant's son: that he had been involved in an incident, and his mother had been angry, but he had not been harmed and his mother was happy about the way the nursery had handled the incident. No material had been published that directly related to the complainant or other members of the family.

8. The Committee also noted that the story had been placed in the public domain prior to publication, due to a number of social media postings, and that the newspaper had been contacted by a number of other parents who wished to express concern about the incident.

9. Further, in accordance with her right to freedom of expression, the child's mother was entitled to speak to the press about her experience, and to offer comment on a matter that might cause concern among other parents for the safety of their children.

11. In relation to the publication of the photograph of the complainant's son, relevant provisions of the Code were contained within Clause 6 (ii); there was no dispute that the newspaper had obtained the consent of a custodial parent for the publication of the photograph.

11. In all the circumstances, there was no breach of Clause 3.

#### Conclusions

12. The complaint was not upheld.

N/A Date of complaint: 26/09/2014 Date decision issued: 16/01/2015

**IPSO Editors' Code of Practice**

**Name:**

All members of the press have a duty to maintain the highest professional standards. The Code, which includes this preamble and the public interest exceptions below, sets the benchmark for those ethical standards, protecting both the rights of the individual and the public's right to know. It is the cornerstone of the system of self-regulation to which the industry has made a binding commitment.

It is essential that an agreed code be honoured not only to the letter but in the full spirit. It should not be interpreted so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it constitutes an unnecessary interference with freedom of expression or prevents publication in the public interest.

It is the responsibility of editors and publishers to apply the Code to editorial material in both printed and online versions of publications. They should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists, in printed and online versions of publications.

Editors should co-operate swiftly with the Independent Press Standards Organisation CIC (the 'Regulator') in the resolution of complaints. Any publication judged to have breached the Code must publish the adjudication in full and with due prominence agreed by the Regulator, including headline reference to the Regulator.

**Clause 1 Accuracy**

- i) The Press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and - where appropriate - an apology published. In cases involving the Regulator, prominence should be agreed with the Regulator in advance.
- iii) The Press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.
- iv) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

**Clause 2 Opportunity to reply**

A fair opportunity for reply to inaccuracies must be given when reasonably called for.

**\*Clause 3 Privacy**

- i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.

ii) Editors will be expected to justify intrusions into any individual's private life without consent. Account will be taken of the complainant's own public disclosures of information.

iii) It is unacceptable to photograph individuals in private places without their consent. Note - Private places are public or private property where there is a reasonable expectation of privacy.

#### **\*Clause 4 Harassment**

i) Journalists must not engage in intimidation, harassment or persistent pursuit.

ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on their property when asked to leave and must not follow them. If requested, they must identify themselves and whom they represent.

iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

#### **Clause 5 Intrusion into grief or shock**

i) In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. This should not restrict the right to report legal proceedings, such as inquests.

\*ii) When reporting suicide, care should be taken to avoid excessive detail about the method used.

#### **\*Clause 6 Children**

i) Young people should be free to complete their time at school without unnecessary intrusion.

ii) A child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.

iii) Pupils must not be approached or photographed at school without the permission of the school authorities.

iv) Minors must not be paid for material involving children's welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.

v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

#### **\*Clause 7 Children in sex cases**

1. The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.

2. In any press report of a case involving a sexual offence against a child -

i) The child must not be identified.

ii) The adult may be identified.

iii) The word "incest" must not be used where a child victim might be identified.

iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

#### **\*Clause 8 Hospitals**

i) Journalists must identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.

ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.

#### **\*Clause 9 Reporting of crime**

(i) Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.

(ii) Particular regard should be paid to the potentially vulnerable position of children who witness, or are victims of, crime. This should not restrict the right to report legal proceedings.

#### **\*Clause 10 Clandestine devices and subterfuge**

i) The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs; or by accessing digitally-held private information without consent.

ii) Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

#### **Clause 11 Victims of sexual assault**

The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

## **Clause 12 Discrimination**

- i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability.
- ii) Details of an individual's race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

## **Clause 13 Financial journalism**

- i) Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information to others.
- ii) They must not write about shares or securities in whose performance they know that they or their close families have a significant financial interest without disclosing the interest to the editor or financial editor.
- iii) They must not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

## **Clause 14 Confidential sources**

Journalists have a moral obligation to protect confidential sources of information.

## **Clause 15 Witness payments in criminal trials**

- i) No payment or offer of payment to a witness - or any person who may reasonably be expected to be called as a witness - should be made in any case once proceedings are active as defined by the Contempt of Court Act 1981.

This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceedings are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

\*ii) Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an over-riding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.

\*iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.

## **\*Clause 16 Payment to criminals**



i) Payment or offers of payment for stories, pictures or information, which seek to exploit a particular crime or to glorify or glamorise crime in general, must not be made directly or via agents to convicted or confessed criminals or to their associates - who may include family, friends and colleagues.

ii) Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

### **The public interest**

There may be exceptions to the clauses marked \* where they can be demonstrated to be in the public interest.

1. The public interest includes, but is not confined to:

i) Detecting or exposing crime or serious impropriety.

ii) Protecting public health and safety.

iii) Preventing the public from being misled by an action or statement of an individual or organisation.

2. There is a public interest in freedom of expression itself.

3. Whenever the public interest is invoked, the Regulator will require editors to demonstrate fully that they reasonably believed that publication, or journalistic activity undertaken with a view to publication, would be in the public interest and how, and with whom, that was established at the time.

4. The Regulator will consider the extent to which material is already in the public domain, or will become so.

5. In cases involving children under 16, editors must demonstrate an exceptional public interest to over-ride the normally paramount interest of the child.

**Employee's signature:**

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**Date:**

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